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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/982,656 | 10/18/2001 | Richard L. Guldi | TI-25047 | 8103 |
| 23494 | 7590 | 08/12/2004 | EXAMINER | |
| TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265 | | | | ART UNIT |
| | | | | PAPER NUMBER |

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|---------------------------------|-------------------------------------|-------------------------|
| Communication Re: Appeal | Application No. | Applicant(s) |
| | 09/982,656 | GULDI ET AL. |
| | Examiner Thomas P. Noland | Art Unit 2856 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The Notice of Appeal filed on _____ is not acceptable because:
 - (a) it was not timely filed.
 - (b) the statutory fee for filing the appeal was not submitted. See 37 CFR 1.17(b).
 - (c) the appeal fee received on _____ was not timely filed.
 - (d) the submitted fee of \$_____ is insufficient. The appeal fee required by 37 CFR 1.17(b) is \$_____.
 - (e) the appeal is not in compliance with 37 CFR 1.191 in that there is no record of a second or a final rejection in this application.
 - (f) a Notice of Allowability, PTO-37, was mailed by the Office on _____.

2. The appeal brief filed on June 28, 2004 is NOT acceptable for the reason(s) indicated below:
 - (a) the brief and/or brief fee is untimely. See 37 CFR 1.192.
 - (b) the statutory fee for filing the brief has not been submitted. See 37 CFR 1.17(c).
 - (c) the submitted brief fee of \$_____ is insufficient. The brief fee required by 37 CFR 1.17(c) is \$_____.

The appeal in this application will be dismissed unless corrective action is taken to timely submit the brief and requisite fee. Extensions of time may be obtained under 37 CFR 1.136(a).

3. The appeal in this application is DISMISSED because:
 - (a) the statutory fee for filing the brief as required under 37 CFR 1.17(c) was not timely submitted and the period for obtaining an extension of time to file the brief under 37 CFR 1.136 has expired.
 - (b) the brief was not timely filed and the period for obtaining an extension of time to file the brief under 37 CFR 1.136 has expired.
 - (c) Request for Continued Examination (RCE) under 37 CFR 1.114 was filed on _____.
 - (d) other: _____

4. Because of the dismissal of the appeal, this application:
 - (a) is abandoned because there are no allowed claims.
 - (b) is before the examiner for final disposition because it contains allowed claims. Prosecution on the merits remains CLOSED.
 - (c) is before the examiner for consideration of the submission and prosecution has been reopened pursuant to 37 CFR 1.114.

NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37

CFR 1.192(c)

1. The brief does not contain a concise explanation of the invention defined in the claims involved in the appeal, which refers to the specification by page and line number, and to the drawing, if any, by reference characters as required by 37 CFR 1.192(c)(5). The summary of the invention section on page 2 of the brief contains no such references.

2. The brief includes a statement to the effect that the 3 claim groupings: claims 1-4, claims 7 and 10, and claims 14-18 do not stand or fall together, but fails to present reasons in support thereof as required under 37 CFR 1.192(c)(7). MPEP § 1206. (The reasons presented are instead that the dependent claims are allowable for the reasons that the independent claims were.)

3. Appellant is required to comply with provisions of 37 CFR 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the

Art Unit: 2856

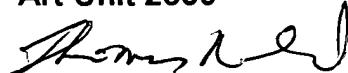
notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Noland whose telephone number is (571) 272-2202. The examiner can normally be reached on weekdays from 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Hezron E. Williams, can be reached on (571) 272-2208.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

**Thomas P. Noland
Primary Examiner
Art Unit 2856**



tpn
Aug. 10, 2004